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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,781	08/09/2001	Rabindranath Dutta	AUS920010240US1	4225

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Frank C. Nicholas
CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, IL 60201

EXAMINER

COBANOGLU, DILEK B

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/925,781	Applicant(s) DUTTA ET AL.	
	Examiner Dilek B. Cobanoglu	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/09/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 to 35 have been considered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 to 5, 8 to 23 and 26 to 35 are rejected under 35 U.S.C. 102(b) as being unpatentable by Experton (U.S. Patent No. 5,995,965).

A. As per claim 1, Experton discloses a method of providing patient medical financial information through a networked connection (Experton; abstract) comprising:

- i. receiving a patient medical financial information at an aggregate medical server (Experton; col.2, lines 38-42);
- ii. receiving patient access instructions at the aggregate medical server (Experton; col.2, lines 42-50);
- iii. receiving an access request from a requester at the aggregate medical server (Experton; col.2, lines 51-57);
- iv. determining whether the access request corresponds with the patient access instructions (Experton; col.2, lines 51-57);

- v. formatting the patient medical financial information into a requester readable data format (Experton; col.3, lines 42-45);

Examiner considers that accepting any conventional format has the same meaning and benefit with formatting the data.

- vi. and sending a portion of the formatted patient medical financial information to the requestor based on the patient access instructions and the access request, if the patient access instructions correspond with the patient access request (Experton; col.2, lines 57-64).

B. As per claim 2, Experton discloses the method of claim 1 further comprising:

- i. sending the medical financial information to an insurance server; receiving modified medical financial information from the insurance server at the aggregate medical server (Experton; col.3, line 62 to col.4, line 8); and
- ii. formatting the modified medical financial information (Experton; col.3, lines 42-45).

C. As per claim 3, Experton discloses the method of claim 2 wherein the modified medical financial information comprises members selected from a group consisting of: an insurance payment, a patient co-payment, portions of a patient medical charge, an allowed medical charge, a discount applied and the amount due by a patient of the patient medical charge (Experton; col.3, lines 34-42).

D. As per claim 4, Experton discloses the method of claim 1 wherein the requestor is selected from a group consisting of a patient and a third party

authorized by the patient to request patient medical financial information
(Experton; col.2, lines 51-57).

E. As per claim 5, Experton discloses the method of claim 1 wherein the requestor readable data format comprises a patient readable format (Experton; col.3, lines 42-45).

Examiner considers that accepting any conventional format has the same meaning and benefit with requestor readable format.

F. As per claim 8, Experton discloses the method of claim 7 wherein the agent resides at a patient PC (Experton; col.3, line 62 to col.4, line 8).

G. As per claim 9, Experton discloses the method of claim 7 wherein the agent resides on the medical aggregate server (Experton; col.3, line 62 to col.4, line 8).

H. As per claim 10, Experton discloses the method of claim 1 further comprising: providing a hyperlink to the aggregate server wherein the hyperlink comprises the access request (Experton; col.2, line 65 to col.3, line 5).

I. As per claim 11, Experton discloses the method of claim 10 wherein the hyperlink is provided on a web site for access by the requestor (Experton; col.2, line 65 to col.3, line 5).

J. As per claim 12, Experton discloses the method of claim 1 wherein determining whether the access request corresponds with the patient access instructions further comprises implementing at least one security feature (Experton; col.3, lines 42-45).

K. As per claim 13, Experton discloses the method of claim 12 wherein the security feature is selected from a group consisting of a user password, a public key cryptograph, a digital signature, and an XML based security standard (Experton; col.3, lines 42-45 and col.4, lines 42-50).

L. As per claim 14, Experton discloses the method of claim 1 further comprising: verifying a portion of the patient medical financial information with an outside server, or a remote processor (Experton; col.2, lines 57-61).

M. As per claim 15, Experton discloses the method of claim 14 wherein verifying the portion of the patient medical financial information comprises determining a patient eligibility (Experton; col.3, lines 34-42).

Examiner considers that determining customer's account and credit availability information has the same meaning with eligibility.

N. As per claim 16, Experton discloses the method of claim 1 further comprising: updating the patient medical financial information (Experton; col.3, lines 13-25).

O. As per claim 17, Experton discloses the method of claim 1 wherein the patient medical financial information is selected from a group consisting of a name, a social security number, a plan number, personal information, medical history information, medical claims information, prescription information, insurance company information, billing information, and health provider information (Experton; col.3, lines 17-25).

P. As per claim 18, Experton discloses the method of claim 1 wherein the access information comprises level authorization information (Experton; col.5, lines 44-49).

4. Claims 19 to 21, 22-23 and 26 to 34 are essentially the same as claims 1 to 3, 5-6, and 10 to 18 respectively except that they set forth the claimed invention as a computer usable medium rather than a method and therefore rejected for the same reasons as applied hereinabove.

5. Claim 35 is essentially the same as claim 1, except that it sets forth the claimed invention as a system rather than a method and therefore rejected for the same reasons as applied hereinabove.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6,7,24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Experton (U.S. Patent No. 5,995,965) in view of Ginter et al. (U.S. Patent No. 5,915,019)

A. As per claim 6, Experton discloses the method of claim 5 wherein the patient readable format comprises a PC based home financial program from a group

consisting of Quicken.RTM., TurboTax.RTM., MS Money.RTM., Peachtree Accounting.RTM. and QuickBooks.RTM.

Experton fails to expressly teach the group consisting of Quicken.RTM., TurboTax.RTM., MS Money.RTM., Peachtree Accounting.RTM. and QuickBooks.RTM., per se, since it appears that Experton is more directed to data transfer and data change (Experton; col.3, lines 62-64). However, this feature is well known in the art, as evidenced by Ginter et al.

In particular, Ginter et al discloses a systems and methods for secure transaction management and electronic rights protection wherein the information could be read into a computer or electronic organizer money and/or tax management program (Ginter et al; col.232 lines 1-5).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have combined the data transfer and data change with the information could be read into a computer or electronic organizer money and/or tax management program with the motivation of managing and maintaining of the receipts (Ginter et al; col. 232 lines 5-13).

B. As per claim 7, Experton discloses the method of claim 1 further comprising: an agent or a user in communication with the aggregate medical server, wherein the agent software is capable of providing tax related information based on patient medical financial information received at the agent (Experton; col.3, lines 62-64).

The obviousness of modifying the teaching of Experton to include the providing tax related information (as taught by Ginter et al) is as addressed above in the rejection of claim 6 and incorporated herein.

8. Claims 24 and 25 are essentially the same as claims 6 and 7 respectively except that they set forth the claimed invention as a computer usable medium rather than a method and therefore rejected for the same reasons as applied hereinabove.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not used prior art teach "Medical information system" 4,893,270 A, "All care health management system" 5,301,105 A, "Medical data draft for tracking and evaluating medical treatment" 5,324,077 A, "Health support system" 5,390,238 A, "Medical transaction system" 5,644,778 A, "Portable information and transaction processing system and method utilizing biometric authorization and digital certificate security" 6,016,476 A, "Systems and methods for secure transaction management and electronic rights protection" 5,892,900 A.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dilek B. Cobanoglu whose telephone number is 571-272-8295. The examiner can normally be reached on 8-4:30.

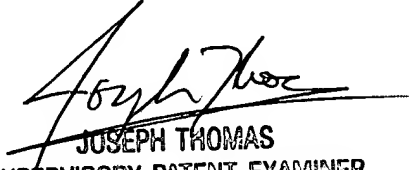
11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3626

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DBC

Dilek B. Cobanoglu
Art Unit 3626
October 26, 2005


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3000